IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO. 1334 OF 2004

Rachappa Nagappa Bachate. ... Appellant.
Versus.
Hawanna Vitthal Borgade & anr. ... Respondents

Shri G.S.Godbole for the Appellant.

CORAM : ABHAY S. OKA, J.

DATED : 9th March, 2005.

P.C.:

1. Heard Shri Godbole for the Appellant. An order was passed by the Revenue Officer in exercise of powers under section 143 of the Maharashtra Land Revenue Code, 1966. Both the Courts have held that the Appellant/Plaintiff has failed to establish that the order passed by the Revenue Officer is illegal and not binding on the Appellants. The Courts below have referred to the report of the Court Commissioner, which is not challenged by both the parties.

2. There are concurrent findings of fact which cannot be interfered with in a Second Appeal under section 100 of the Code of Civil Procedure, 1908. No substantial question of law arises. The Second Appeal is dismissed with no order as to costs.

Judge.